MULTIMEDIA UNIVERSITY

STUDENT ID NO

MULTIMEDIA UNIVERSITY

FINAL EXAMINATION

TRIMESTER 3, 2018/2019

BLR 3084 – LABOUR AND INDUSTRIAL RELATIONS

(All Sections/Groups)

27 MAY 2019

9.00 a.m.-11.00 a.m.
(2 Hours)

INSTRUCTIONS TO STUDENTS

1. This question paper consists of 3 pages, inclusive of the cover page
2. Answer **ALL FOUR (4)** questions.
3. Marks are shown at the end of each question.
4. **TAKE NOTE** that you **MUST** refer to case law and Acts of Parliament where necessary and relevant.

ANSWER ALL QUESTIONS

QUESTION 1

The powers of the Director-General of the Trade Union in the registration and deregistration of a trade union are set out in Sections 12 and 15 of the Trade Unions Act 1959. Explain at length these powers.

(25 Marks)

QUESTION 2

Professor Coco is a lecturer at the Low King Wok University, ("LKW"), Cyberjaya. She has been teaching fashion and design for 18 years at the University, In December 2018, Professor Coco received the trimester teaching workload from her Programme Coordinator, Dr. Chanel. She was astonished to see that for the first time in her career at LKW, she was not assigned any teaching workload. When she asked Dr. Chanel, she informed her that she could take it easy that trimester as there were not enough students. Professor Coco knew that this was not true as her colleague, Dr.Naomi has been complaining that she has too many teaching hours. A couple of days later, the dean of the Faculty, Associate Professor Dr. Tyra called her in and told her that she has been assigned to teach college students at the University's college, a position she held when she first joined LKW as a tutor. Dr Tyra informed Professor Coco that her salary and other terms and conditions of her employment remain the same. Professor Coco is unhappy as she sees this as a demotion. Advise Professor Coco what her rights and cause of action are under Industrial Relations. You must cover all aspects of her situation, including the steps she must take if she wishes to solve her workplace problem.

(25 Marks)

QUESTION 3

African International Assurance ("AIA") is a company that deals with all types of insurance. Their operations focus on the sale of insurance policies through insurance agents. They also train these insurance agents to sell their products through senior insurance agents who are termed as "Insurance Leaders".

Continued.....

Alex is an insurance agent. He collects the policies from AIA and sells them at his own leisure. AIA does not impose any restrictions on him and he is free to sell the policies to anyone and at any time of his own choosing. For every insurance policy he sells, he gets commissions.

Alex has been with AIA for the past 20 years. Due to his seniority, Alex was appointed as "Insurance Leader". As an Insurance Leader, Alex is required to train insurance agents on weekends. AIA will fix the venues for trainings, the dates and the times. Alex must follow AIA's instructions. AIA gives him handbooks and teaching materials as well as the list of participants. He gets paid at the end of every month a net sum of RM 20 000 per month less statutory contributions such as EPF and Income Tax,

Discuss the relationships between Alex and AIA in the above scenarios, What would your advice to Alex be should AIA decide to terminate his services as an insurance agent and insurance leader?

(25 Marks)

QUESTION 4

Explain at length Section 24 of the Employees' Social Security Act 1969.

(25 Marks)

(TOTAL: 100 Marks)

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